

Section 32 Report – Part 2

Landscape & Natural Character

prepared for the

Proposed Waikato District Plan

July 2018



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I OVERVIEW AND PURPOSE

This chapter provides the s32 evaluation of the Proposed Waikato District Plan (PDP) provisions relating to landscape and natural character values. The Chapter should be read in conjunction with Part I Section 32 Report – Introduction to the Evaluation Report, which sets out the overall approach for the evaluation and consultation undertaken in the development of the whole PDP.

I.1 Topic Description

The purpose of the topics covered in this Section 32 report (Landscape and Natural Character) is to give effect to principles in Part 2 of the Resource Management Act (RMA). To this end the PDP's provisions relating to Landscape and Natural Character implement the directions in section 6 (a) - the preservation of the natural character and (b) - the protection of outstanding natural features and landscapes and to section 7 (c) - the maintenance and enhancement of amenity values. The provisions also give effect to landscape and natural character provisions in the New Zealand Coastal Policy Statement (NZCPS) and the Waikato Regional Policy Statement (RPS). An overview of the relevant provisions are outlined in Appendix I.

I.2 Significance of this Topic

The issues addressed under this topic relate to landscape and natural character and respond to matters of national importance and other matters identified in Part 2 of the RMA. As noted, the topic is also part of the PDP's response to the NZCPS and sections of the RPS relating to landscape and natural character. In addition it is noted that landscapes and natural character are valued by the communities of the District as is reflected in the consultation feedback on the draft plan.

As identified in the Waikato District Landscape Study (WDLS), the District contains numerous Outstanding Natural Features (ONFs) and Outstanding Natural Landscapes (ONLs) and Significant Amenity Landscapes (SALs). The District also contains significant areas with High and Outstanding Natural Character. These areas have been identified based on their significant environmental, social and cultural values. The methodology by which the areas have been identified is described in full in the WDLS (attached as Appendix 2).

Approximately the following areas of the district's area are identified:

- 5% is ONL;
- 7% as ONF;
- 3% is SAL; and
- 1% is natural character areas.

I.3 Resource Management Issues to be Addressed

The resource management issues to be addressed in this chapter are:

- Outstanding natural features and landscapes can be irreversibly changed or degraded by subdivision, land use, development, roads, tracks and extractive industry
- Poorly designed and located subdivision, use and development can have adverse effects on landscape and visual amenity values.
- Inappropriate subdivision, land use and development can adversely affect the natural character of the coastal environment, wetlands, and lakes and rivers and their margins.

These are evaluated in section 2.2 of this report.

1.4 Current Objectives, Policies, Rules and Methods

The current Waikato Section of the District Plan addresses ONFLs, landscape and visual amenity values and natural character through three separate issue statements with corresponding objectives and policies. These provisions focus on the protection and preservation of the values of landscapes, natural features and natural character of the coastal environment, lakes and rivers and their margins.

Various rules are used to implement these objectives and policies including rules that control:

- vegetation clearance, earthworks, location and visual effects of buildings and plantation forestry in identified outstanding natural features and landscapes, around the coast and water bodies
- earthworks and formation of tracks on identified prominent ridgelines
- development in a Coastal Zone to specifically address the effects of development in the coastal environment

The Waikato Section of the plan has mapped area of Outstanding Natural Features and Landscapes as Landscape Policy Areas and listed them in Schedule 3A. In addition prominent ridgelines with particular landscape and amenity value due to their visibility from public places have been mapped as Ridgeline Policy Areas. Finally the Waikato Section also identifies a coastal policy area, the Whaanga Coast policy area, and includes rules controlling development and protecting the amenity values of this coastline in this area.

The Franklin Section of the District Plan identifies three landscapes as being outstanding. In addition Schedule 5A to Part 5 identifies Outstanding Natural Features and criteria for adding sites to the Schedule are also identified. Schedule 5B to Part 5 identifies important geological sites listed in the NZ Geo-preservation Inventory. Protection of these features is achieved through a number of provisions in the district plan including Conservation zoning, specific activity rules and development setback. The Franklin Section includes a variety of provisions which address the natural character of the coastal environment, wetlands, lakes, rivers and their margins.

1.5 Information and Analysis

Given the requirements of the New Zealand Coastal Policy Statement 2010 (NZCPS) and the Waikato Regional Policy Statement 2016 about identifying landscape and natural character areas, Waikato District Council engaged Boffa Miskell to review the district landscape areas and integrate the Waikato Regional Natural Character of the Coastal Environment Study in one document.

Table I List of relevant background assessments and reports

Title	Author and Date	Description of Report
Waikato District Landscape Study (Appendix 2)	Boffa Miskell Limited (June 2018)	Review of the districts landscapes including: <ul style="list-style-type: none"> -A general overview of the landscapes in the district - Identification of Outstanding Natural Landscapes, Outstanding Natural Features and Significant Amenity Landscapes. - Identification of the values of those areas listed above and threats to them, - Identification of management mechanisms. - re-confirmation and identification of natural character areas of the coastal environment including areas of High (and very high) and Outstanding Natural Character.
Natural character study of the Waikato coastal environment (Appendix 3)	Boffa Miskell (July 2016)	Identification of natural character of the coastal environment. In particular: <ul style="list-style-type: none"> • High (and very high) Natural Character. • Outstanding Natural Character.

1.6 Consultation Undertaken

Specific consultation took place with landowners with Significant Amenity Landscape, Outstanding Natural Landscape, Outstanding Natural Feature and Natural Character Areas in May 2018 based on the identification of those areas in the Waikato District Landscape Study. This process and an overview of the general responses is described below.

Land owner engagement

On 10 May 2018, following the identification of landscape and natural character areas in the Waikato District Landscape Study, approximately 1700 letters were sent to land owners seeking further feedback by 5 June 2018. Affected landowners attended drop in sessions held in Ngaruawahia, Tuakau, Raglan and Tamahere, provided written feedback and spoke to staff on the phone. At the drop in sessions, one on one discussions were held with landowners to discuss what the draft provisions would mean for them. This also provided the opportunity for land owners to further describe the areas.

Feedback from landowners is summarized as follows:

- Queries as to why council is identifying landscape and natural character areas
- Requests for mapping changes primarily based on related Significant Natural Areas
- Queries and concerns regarding potential regulatory controls including:
 - Ability to plant in the areas and whether this would be restricted
 - Ability to build or develop in these areas and whether this would be restricted
 - Questions about then the proposed plan would be release and when any rules would take effect.
- Objections on the principle of identifying areas on private land
- Requests for rates relief for having an area identified.

Table 2 Specific consultation processes

Date	Group	Subject Matter	Feedback
November 2017 to February 2018	General public, stakeholders and Residents and Ratepayers	Draft district plan provisions include issues, objectives, policies and rules.	Feedback received on draft objectives, policies and draft rules from Department of Conservation, Waikato Regional Council and Fish & Game Waikato. Generally seeking amendments to objectives and policies and a strengthening of draft rules related to development in landscape and natural character areas.
May 2018 to June 2018	Land owners	Landscape and Natural Character area identification and an overview of the draft district plan rules ahead of notification	Described in the body of section 1.6 above.

1.7 Iwi Authority Advice

1.7.1 Consultation

Clause 3 of Schedule 1 of the RMA set out the requirements for local authorities to consult with tangata whenua through and iwi authorities. Clause 3 also requires Local Authorities to consult with any person, group or ministry that may be affected by changes made to the District Plan.

Council used the following methods to create an Iwi Reference Group.

- Joint Management Agreement
- Tai Tumu Tai Pari Tai Ao (Waikato Tainui Environmental Plan)
- Partnerships
- Collaboration

The purpose of the Iwi Reference Group was to provide Council with a single forum to socialise the proposed changes to the Operative District Plan.

The Iwi Reference group was made up of all iwi and hapuu within the district that council currently consults with via the Resource Consent Process.

Engagement and consultation with the Iwi Reference group took place between December 2014 and December 2017. (See Part 1 Section 32 Report – Introduction to the Evaluation Report)

1.7.1 Advice

Under Clause 4A of Schedule 1 of the RMA sets out the requirements for local authorities to consult with iwi authorities before notifying a proposed plan. Clause 4A(1)(b) requires Council to have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.

Council with discussions with the relevant Iwi and Hapuu and through Te Kahui Mangai website:

We undertook consultation with:

Iwi authorities within Waikato District:

- Waikato Tainui
- Ngaati Tamaoho

Iwi for the purpose of RMA list on Te Kahui Mangai

- Tainui o Tainui

Iwi that have relationship from other districts

- Hauraki
- Ngaati Maniapoto
- Ngaati Paoa - Hauraki

The above Iwi groups were consulted with and a summary of their comments issues and Council's consideration are listed in Part 1 Section 32 Report – Introduction to the Evaluation Report.

I.8 Decision-making

A series of presentations and discussion documents have been presented to Councillors on the content with focus of the draft proposed district plan provisions related to the Landscape and Natural Character Topic. These are described in Table 3 below.

Table 3 Summary of decision-making processes

Meeting	Document	Overview and Direction
Councillor workshop District Plan, Discussion Document - 16/02/2016	Presentation on Discussion document (Landscape and Natural Character) and discussion document	<p>Summary: Presentation of Discussion document highlighting resource management issues, current district plan provisions, RPS requirements, and outlined of landscape review requirements (identification).</p> <p>Questions on:</p> <ul style="list-style-type: none"> • How to protect Surf breaks • Any changes to ONFL mapping • Vegetation clearance – is it about mitigation or relaxing mitigation.
Councillor workshop District Plan, Issues– 19/04/2017	Councillor workshop presentation	<p>Summary: Presentation on issues statements</p> <p>Feedback and questions:</p> <ul style="list-style-type: none"> • Would like words to be qualified such as “poorly designed” and “inappropriate subdivision”. • Hard to read issues statements in isolation. • Support for format of issue statement for natural character. • Would like the issues statement on Outstanding Natural Features and Landscapes to be more specific in regards to extractive industries.
Councillor workshop District Plan, Objectives – 11/07/2016	Councillor workshop presentation Draft objectives assessment	<p>Draft objectives presented to council.</p> <p>Draft Objective 1 (ONFs and ONLs):</p> <ul style="list-style-type: none"> • Is there a link to Significant Natural Areas? <p>Draft Objective 2 (Amenity landscapes)</p> <ul style="list-style-type: none"> • Will this prevent particular developments? • Will what is appropriate be addressed in more detail in the policies? <p>Draft Objective 3 (Natural character)</p> <ul style="list-style-type: none"> • Where are margins of wetlands, lakes, rivers and the coast identified?
Councillor workshop District Plan, Policies – 16/08/2016	Councillor workshop presentation Draft policies	<p>Draft policies presented to council.</p> <p>Feedback:</p> <p>ONFs and ONLs:</p>

Meeting	Document	Overview and Direction
		<ul style="list-style-type: none"> • Are there likely to be different areas identified than in the operative plan. • Do heritage trees fall under this policy • Suggested wording changes offered. • Questions on where policies apply. <p>Landscape and visual amenity values:</p> <ul style="list-style-type: none"> • What is happening with ridgeline policy areas from Operative Waikato Section? • Do general nuisance amenity issues (noxious and objectionable materials) get picked up elsewhere? <p>Natural character</p> <ul style="list-style-type: none"> • What are the setbacks? • What is compromised natural character, what is natural versus man-made versus subdivision? • Why just mention the Whaanga coast when all coastal areas will be protected? • Suggested wording changes requiring “applications to demonstrate”.
Councillor workshop District Plan, Overview of Draft Rules – 12/06/2017	Councillor workshop presentation. Draft rules	<p>Presentation on draft rules including future engagement with landowners</p> <p>Question on issue statement:</p> <ul style="list-style-type: none"> • Does pollution caused by intensive farming have an effect on the enjoyment of landscapes? <p>Questions on rules hand out:</p> <ul style="list-style-type: none"> • What are wind measurement systems and do windfarms require consent? • Regarding production forestry in the non-complying column. Do we have any forestry in these areas? And can they replant? • There may be instance where people may want to build taller than the 5m height limit. Upper Whaingaroa harbour for instance, and northern side of Raglan harbour have some vacant

Meeting	Document	Overview and Direction
		subdivisions. There may be some people who want to go above 5m and would be interested in this topic.
Councillor workshop District Plan review , Update on project 17/04/2018.	Councillor workshop presentation	General support for proposed land owner engagement.
Engagement update on feedback received - 13/06/2018.	Councillor workshop presentation.	Summary of the landowner engagement and feedback received presented.

1.9 Reference to Other Relevant Evaluations

This s32 topic report should be read in conjunction with the evaluations for the Zones which overlap with the landscape or natural character overlays, being:

- Residential Zone
- Industrial Zone
- Industrial Heavy Zone
- Rural Zone
- Village Zone
- Country Living Zone
- Business Zone
- Reserve Zone
- Infrastructure
- Renewable Electricity Generation
- Transport
- National Grid
- Water Supply, Stormwater and Wastewater
- Tangata whenua

In addition, this report should be read in conjunction with the Tangata whenua evaluation.

2 ISSUES, OBJECTIVES, POLICIES AND RULES

2.1 Higher Level Planning Documents and Legislation

There is a significant cascade of ‘direction’ in both the RMA and higher level planning documents which is of relevance to the landscape and natural character provisions in the PDP.

2.1.1 Resource Management Act

The RMA requires the Council to “recognise and provide for” both:

- The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development (section 6(a)); and
- the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development as a matter of national importance under the RMA (section 6(b)).

The management of landscapes, and in some instances of natural character, is also related to other principles provided for under section 6 and 7, specifically;

- section 6(c) – “...protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna...”
- section 6(d) – “...maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers...”
- section 6(e) – “...the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga”
- section 7(c) – “...maintenance and enhancement of amenity values;
- section 7(f) – “maintenance and enhancement of the quality of the environment”.

2.1.2 New Zealand Coastal Policy Statement 2010

A range of objectives and policies from the NZCPS address natural character and landscapes, and within the coastal environment to implement the direction in section 6 and 7 of the RMA.

- Objective 1 aims to safeguard the integrity, form and resilience of the coastal environment including by maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature.
- Objective 2 aims to preserve the natural character of the coastal environment and the protection of natural features and landscape values by recognising particular qualities, identifying where activities would be inappropriate and protecting those areas and encouraging restoration

- Objective 3 highlights the principles of the Treaty of Waitangi, the role of tangata whenua as kaitiaki and their involvement in the management of the coastal environment
- Objective 6 aims to enable the use of the coastal environment, recognising that, among other things, protection does not preclude appropriate use and development and that some use and development has functional requirements to be located in the coastal environment
- Policy 1 directs Council to recognise that the extent of coastal environment, and management issues within it, vary from locality to locality and lists a range of factors which make up the coastal environment. Note the Waikato Regional Policy Statement has mapped the inland extent of the coastal environment and any changes to 'line' would require further investigation.
- Policy 6 directs Council to recognise various factors in relation to the use of the coastal environment including that certain activities are important to the social, economic and cultural wellbeing of people and communities, and where practicable, activities should be set back from coastal marine area and other waters bodies to protect natural character and amenity
- Policy 13 addresses preservation of natural character in the coastal environment. It requires the avoidance of the adverse effects on natural character of areas with outstanding natural character and avoidance of significant adverse effects on natural character in all other areas. The policy requires the identification and assessment of, at least, areas of high natural character. This policy
- Policy 13 also explicitly states that “natural character is not the same as natural features and landscapes or amenity values” and outlines a set of matters relevant for determining natural character in the coastal environment.
- Policy 14 promotes the restoration of natural character of the coastal environment including by: identifying areas and opportunities for restoration or rehabilitation; providing policies, rules and other methods directed at restoration or rehabilitation in plans; and through conditions on consents and designations.
- Policy 15 directs Council to protect the natural features and natural landscapes of the coastal environment from inappropriate activity by avoiding adverse effects on ONLFs, avoiding significant adverse effects on other natural features and landscapes, and by identifying and assessing the natural features and landscapes of the District.

The King Salmon Supreme Court decision (2014) has had wide ranging consequences and has changed the way policies are interpreted. This decision has set a precedent that applying an overall judgment is not appropriate when giving effect to provisions in higher order planning documents and prescriptive policies are likely to be awarded more weight than flexible ones (e.g. highly directive verbs such as avoid, protect

etc.). The decision has indicated that the use of the word “avoid” adverse effects is an absolute for the matters listed. This is of particular relevance to policies which require adverse effects to be avoided (Policies 5, 11, 13 and 15). What this means for is that activities in the following areas in the coastal environment will need to be managed differently from the rest of the district:

- land or waters in the coastal environment held or managed under the Conservation Act 1987 and any Act listed in the 1st Schedule to that Act; or other Acts for conservation or protection purposes (Policy 5);
- areas of outstanding natural character (Policy 13(1)(a));
- outstanding natural features and outstanding natural landscapes in the coastal environment (Policy 15(a)).

2.1.3 National Environmental Standards for Plantation Forestry

The National Environmental Standards for Plantation Forestry (NES-PF) were published on 3 August 2017 and came into force on 1 May 2018.

Resource Management (National Environmental Standards for Plantation Forestry) Amendment Regulations 2018 (which include changes to the Erosion Susceptibility Classifications) were published on 26 April 2018 and commenced on 1 May

The NES-PF objectives are to:

- maintain or improve the environmental outcomes associated with plantation forestry activities
- increase the efficiency and certainty of managing plantation forestry activities.

The objectives are achieved through a single set of regulations under the RMA that apply to foresters throughout New Zealand.

The NES-PF regulations cover 8 core plantation forestry activities that have potential environmental effects:

- afforestation (planting new forest)
- pruning and thinning to waste (selective felling of trees where the felled trees remain on site)
- earthworks
- river crossings
- forestry quarrying (extraction of rock, sand, or gravel within a plantation forest or for operation of a forest on adjacent land)
- harvesting
- mechanical land preparation
- replanting.

The NES-PF applies to any forest of at least one hectare that has been planted specifically for commercial purposes and will be harvested.

Some examples of the conditions under the NES-PF regulations are:

- setbacks when planting next to rivers, lakes, wetlands, and coastal areas. These unplanted strips protect against erosion and sedimentation from afforestation
- management plans for earthworks, forest quarrying, and harvesting activities to identify environmental risks and how they'll be managed
- identification and maintenance of storm water and sediment control measures for forestry activities.

If forest operators can meet the conditions, the activity is permitted. If not, they must seek a resource consent from their council.

The NES-PF recognises the need for flexibility to protect sensitive local environments. Regional and district councils plans can be more stringent to:

- manage their unique and sensitive environments such as geothermal areas and drinking water supplies
- protect significant natural areas and outstanding natural features and landscapes
- give effect to other national RMA mechanisms like the:
 - National Policy Statement for Freshwater Management
 - New Zealand Coastal Policy Statement.

2.1.4 Waikato Regional Policy Statement

There are three objectives in the RPS which address landscape and natural character matters. These Objectives seek that:

- *The values of outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development. (Obj 3.20)*
- *The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced (Obj 3.21)*
- *The natural character of the coastal environment, wetlands, and lakes and rivers and their margins are protected from the adverse effects of inappropriate subdivision, use and development. (Obj 3.22)*

There are a range of policies to achieve the objectives which direct that:

- Development in the coastal environment occurs in a way, that amongst other things, avoids the adverse effects on areas with outstanding natural character, and outstanding natural features and landscapes and elsewhere ensures that activities are appropriate in relation to the level of natural character or natural feature and landscape, protects the valued characteristics of remaining undeveloped, or largely undeveloped coastal environments, and avoids ribbon development along coastal margins (Policy 6.2)
- Identified values and characteristics of outstanding natural features and landscapes (including seascapes) of regional or district significance are protected from adverse effects, including cumulative effects, arising from inappropriate subdivision, use and development (Policy 12.1)

- Activities in the coastal environment, wetlands, lakes and rivers and their margins are appropriate in relation to the level of natural character (Policy 12.2)¹
- Areas of amenity value, including landscapes, seascapes or natural features are identified, maintained and enhanced (Policy 12.3)

To give effect to these Policies, the RPS sets out the following methods of implementation:

- The RPS identifies the landward extent of the coastal environment, and allows that District Plans can determine an alternative landward margin if this is determined by a further detailed investigation (Method 4.1.8)
- Local authorities shall give effect to the policy direction on the coastal environment in planning for growth and development, and by including District Plan setbacks for new development from the coastal edge unless there is a functional need (Method 6.2.3)
- District Plans shall identify and protect ONLFs by avoiding adverse effects on ONLFs within the coastal environment, and avoiding adverse effects if possible elsewhere (Method 12.1.1)
- District Plans shall map or otherwise identify areas of high and outstanding natural character in the coastal environment and in all areas ensure activities are appropriate to the level of natural character
- District Plans shall identify and recognise areas of amenity value, and maintain or enhance the qualities and characteristics for which they are valued

2.1.5 Waikato-Tainui Environmental Plan:

Whilst the entirety of the Waikato-Tainui Environment Plan (WTEMP) is relevant, Section 15, 24 and 25 address issues and objectives and policies relating to landscape values. Section 15.2.5 highlights the main landscape concerns as follows:

Waikato-Tainui are concerned that inefficient resource development, use, associated activities and infrastructure risks are compromising and depleting the remnants of natural vegetation that remain in the region and serve as a reminder of the original natural character of the landscape.

The WTEMP articulates the following objective in regards to landscape planning:

15.3.2 Cultural, spiritual and ecological features of the Waikato landscape that are significant to Waikato-Tainui are protected and enhanced to improve the mauri of the land.

The related policy is:

1.5.3.2.1 To ensure that there is greater protection and enhancement of cultural, spiritual and ecological features of significance to Waikato-Tainui.

¹ The Policy contains direction on how this should be applied depending on the level of natural character in a particular location

The WTEMP promotes a range of methods to implement its policies and achieve the above objective. In regards to the district plan review these include:

- Identification and protection of culturally and or spiritual significant landscapes
- Rural and urban design to manage the effects on the natural character of high value areas
- Statutory instruments and methods promote the protection and restoration of landscapes and landscape values of importance to Waikato-Tainui
- Education of the public, local authorities, developers and resource users on Waikato- Tainui values of regionally, culturally and spiritually significant landscapes, vegetation and species.

2.1.6 Maniapoto Environment Plan:

The Maniapoto Environment Plan (MEP) highlights the importance of landscapes in Ngati Maniapoto Whakapapa. It also speaks of landscapes as corridors and the importance of physical pathways or view shafts.

The MEP articulates the following objective (19.3.2) in regards to landscapes:

To protect and enhance significant cultural, spiritual, natural and ecological landscapes, features and locations in the Maniapoto rohe and to protect and enhance Maniapoto relationships and associations with these features

The related policy (19.3.2.1) is:

Activities and uses that adversely affect significant cultural, spiritual natural and ecological landscapes, features or locations in the Maniapoto rohe are avoided, and Maniapoto relationships with those landscapes, features or locations are maintained and restored.

The MEP promotes a range of actions (methods) to implement its policies and achieve the above objective:

- a) *Ensure resource use and activities maintain and restore connections between ecological corridors and landscapes and enable species to exist within their natural ecological range;*
- b) *Mitigation measures for the management of effects includes, where appropriate, the restoration of ecological corridors and landscapes;*
- c) *Encourage reinstatement and proper use of traditional Maniapoto place name;*
- d) *Appropriately protect significant landscapes from destructive activities such as vegetation clearance and earthworks;*
- e) *Appropriately protect significant landscapes, features, locations and associated view shafts (lines of sight to significant areas) from development or any other adverse effects on their character or amenity values.*

2.2 Issues

2.2.1 Issue 1

The evaluation of objectives and provisions in the following sections relates to the resource management issue stated below:

Issue statement	<p>Outstanding Features and Landscapes</p> <p>Outstanding natural features and landscapes can be irreversibly changed or degraded by subdivision, land use, development, roads, tracks and extractive industry</p>
<p>The protection of ONF and ONLs is identified in the RMA as a matter of national importance. As identified above the RPS has given effect to this direction through an objective which requires ONFLs to be identified and protected.</p> <p>In response the WDLS identifies the District's ONFs and ONLs. The WDLS has applied current best practice methodologies and has identified landscape value by applying 3 broad criteria: Biophysical features, patterns and processes, Sensory qualities and Associative meanings.</p> <p>The WDLS also identifies the threats to the values of these landscapes and features. Adverse effects associated with the activities listed in Issue 1, such as the modification of landform, loss of vegetation, inappropriately prominent buildings, are based on the threats which the WDLS has commonly identified for each ONF and ONL.</p>	

2.2.2 Issue 2

The evaluation of objectives and provisions in the following sections relate to the resource management issue stated below:

Issue statement	<p>Landscape and Visual Amenity Values</p> <p>Poorly designed and located subdivision, use and development can have adverse effects on landscape and visual amenity values</p>
<p>The maintenance and enhancement of amenity values is an 'other matter' that Council must have particular regard to under Section 7 (c) of the RMA. This has been given effect to the RPS by an Objective which seeks that the qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced.</p> <p>The WDLS identifies SALs. The WDLS has applied current best practice methodologies and, as for ONFs and ONLs, has identified landscape value by applying 3 broad criteria: Biophysical features, patterns and processes, Sensory qualities and Associative meanings.</p> <p>The WDLS also identifies the threats to each SAL. Adverse effects associated with the activities listed in Issue 2, such as poorly design subdivision and development resulting in loss of vegetation cover, are based on the threats which the WDLS commonly identified for each SAL.</p>	

2.2.3 Issue 3

The evaluation of objectives and provisions in the following sections relate to the resource management issue stated below:

Issue statement	<p>Natural Character</p> <p>Inappropriate subdivision, use and development can adversely affect the natural character of the coastal environment, wetlands, and lakes and rivers and their margins</p>
<p>The protection of the natural character of coastal environment, wetlands, and lakes and rivers and their margins is identified in the RMA as a matter of national importance. This direction is re-confirmed through Objective 3.22 of the RPS. Both the RMA and the RPS direct that protection should be from 'inappropriate' rather than all activities.</p> <p>The NZCPS also directs Council to address the protection of natural character, specifically in the coastal environment.</p> <p>The WDLS also identifies high (and very high) and outstanding natural character within the coastal environment (as determined in the RPS). This has been adopted from the 2016 WRC report on natural character of the coastal environment.</p>	

3 EVALUATION OF OBJECTIVES

Table 4 below is a summary of the objectives that have been identified as the most appropriate to address this resource management issue and achieve the purpose of the RMA.

The following objectives are considered to be the most appropriate way to achieve the purpose of the Act.

Table 4

Objective	Evaluation
<p>3.3.1 Objective</p> <p>a) Outstanding natural features and landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development.</p>	<p>The Objectives seek to protect the District's natural landforms and valued landscapes, which form the visual amenity and identity of the District. Protecting them will ensure that future generations continue to enjoy significant amenity values in accordance with Section 5(2)(a).</p>
<p>3.4.1 Objective</p> <p>a) The attributes of areas and features valued for their contribution to landscape values and visual amenity are maintained or enhanced.</p>	<p>Protecting natural landforms and valued landscapes will, at the same time, protect their associated ecosystems and achieve Section 5(2)(b).</p>
<p>3.5.1 Objective</p> <p>a) The high and outstanding natural character of the coastal environment is protected from inappropriate subdivision use and development.</p> <p>b) Natural character of wetlands, and lakes and rivers and their margins are protected from inappropriate subdivision use and development.</p>	<p>The objectives require the protection of natural landforms and valued landscapes, which will require that adverse effects on their values be avoided (Section 5(2)(c)).</p> <p>Protecting natural landforms and valued landscapes will ensure that the visual amenity and identity of the District, which provides the community with a sense of place, is maintained, thus providing for the community's social and cultural wellbeing. Tourism operations also benefit economically from the maintenance of landscape values although the economic aspect is not explicitly reflected in the objective.</p> <p>All three objectives are aligned with the relevant objectives in the RPS, and therefore give direct effect to them. They also give effect to Section 6 and 7 of the RMA.</p> <p>It is noted that Objective 3.5.1 sets a different goal for the management of natural character within the coastal environment than for wetlands, and lakes and rivers and their margins. The direction relating to the coastal environment focuses specifically on those areas with high and outstanding natural character. Whereas the direction for other areas is not specifically focussed. This differentiation is considered appropriate because it reflects the specific direction in the NZCPS relating to the protection of natural character in the coastal environment.</p> <p>The direction to either 'protect' or 'maintain and enhance' in each of the Objectives has been aligned with the significance of the value</p>

	<p>addressed, i.e. in the case of a more significant the value (e.g. ONLF) the direction in the Objective is stronger (i.e. protection).</p> <p>The inclusion of the qualifier ‘from inappropriate...’ is consistent with both the RPS and RMA and is therefore also appropriate. Guidance on what constitutes ‘inappropriate’ activities is provided in the related policies.</p>
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4 SCALE AND SIGNIFICANCE EVALUATION

The level of detail undertaken for the evaluation of the proposed District Plan provisions has been determined by an assessment of the scale and significance of the implementation of the proposed District Plan provisions. The scale and significance assessment considered the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to the following, namely whether the provisions:

- (a) Are of regional or district wide significance;
- (b) Have effects on resources that are considered to be a matter of national importance in terms of Section 6 of the Act;
- (c) Adversely affect people's health and safety;
- (d) Result in a significant change to the character and amenity of local communities;
- (e) Adversely affect those with particular interests including Maori;
- (f) Limit options for future generations to remedy effects;
- (g) Whether the effects have been considered implicitly or explicitly by higher order documents; and
- (h) Include regulations or other interventions that will impose significant costs on individuals or communities.

While the proposed landscape and natural character provisions do not include significant changes from the existing provisions (Waikato Section) for a variety of reasons it is considered that they are 'significant' and therefore warrant a higher degree of scrutiny. In particular it is noted that:

- The provisions are intended to give effect to Part 2 of the RMA, and relate to matters of national importance and 'other matters'
- The provisions also give effect to direction within the NZCPS and RPS
- The provisions relate to significant values held by tangata whenua and other sectors of the community
- The provisions have the potential to restrict land use and subdivision and thereby impose financial costs on certain sectors of the community.

It is therefore considered that the evaluation of the landscape and natural character provisions should be to a greater level of detail. Two reports, which support this s32 evaluation report, are critical to providing this greater level of detail. These are:

- The Waikato District Landscape Study – which provides key background information on the values and threats associated with the District's landscape and natural character, and therefore assists the assessment of environmental, social and cultural costs and benefits (i.e. the efficiency of the provisions)
- Market Economics quantified the costs and benefits and this is attached as Appendix 4.

The Market Economics report identifies that:

- ONLs cover 23,222ha of land and are spread across 5 of the District's 42 communities (12%) (although they impact on a greater number of communities when properties containing an area of ONL are considered). The main communities containing ONLs are Mangatangi (53% of total ONL area), Waitetuna (28% of total ONL area) and Waitehuna-Te Uku (15% of total ONL area). Raglan community includes 3% of ONLs.

- ONFs cover 28,978ha of land and are (materially) spread across 17 of the District's 42 communities (40%). The main communities containing ONFs are Waiterimu-Te Hoe (18% of total ONF area), Meremere (13% of total ONF area) and Waingaro (14% of total ONF area). Otaua-Aka Aka community includes 7% of ONFs, Huntly contains 8% and Waitetuna contains 10%.
- SALs cover 13,113ha of land and are spread across 24 of the District's 42 communities (57%) (although they impact on a slightly greater number of communities when properties containing an area of SAL are considered). The main communities containing SALs are Maramarua (20% of total SAL area), Waiterimu-Te Hoe (17% of total SAL area) and Waitetuna-Te Uku (12% of total SAL area). Otaua-Aka Aka community includes 6% of SALs, Port Waikato community includes 7%, Onewhero community includes 6% and Tuakau community contains 5%.
- Natural Character Areas cover 5,079ha of land and are spread across 7 of the District's 42 communities (17%). The main communities containing Natural Character Areas are Waitehuna-Te Uku (52% of total Natural Character area), Te Akau (18% of total Natural Character area) and Port Waikato (12% of total area). Raglan and Waingaro communities includes 6% of Natural Character areas each.

5 EVALUATION OF PROPOSED POLICIES, RULES AND METHODS

Section 32 (1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

5.1 Identification of Reasonably Practicable Options – for Achieving Objective(s)

The following assessment consists of an examination of all reasonably practicable options for achieving:

- Proposed Objectives 3.3.1 and 3.4.1, relating to landscapes (Table 5); and
- Proposed Objective 3.5.1, relating to natural character (Table 6).

This high-level screening process considers the effectiveness of each broad option. Only those options considered to be reasonably practicable are evaluated in this section. The options evaluated in the table below comprise broad approaches, rather than detailed provisions and range from “do nothing” through to a comprehensive suite of provisions relevant to the particular objective.

The broad option identified as preferred for each objective, is then evaluated in more detail in section 5.2 & 5.3 below.

Table 5 - Assessment of Reasonably Practicable Options for Proposed Objectives 3.3.1 and 3.4.1

Objective(s)	<p>Objective 3.3.1 a) Outstanding natural features and landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development.</p> <p>Objective 3.4.1 a) The attributes of areas and features valued for their contribution to landscape values and visual amenity are maintained or enhanced.</p>				
Options	Description	Relevance	Feasibility	Acceptability	Recommendation
<p>I. Do Nothing – (remove all policies and associated methods – including rules)</p>	<p>The removal of provisions from the District Plan would mean that adverse effects of subdivision and land use on landscape values would not be managed by Council.</p>	<p>Achievement of the objectives would rely solely on voluntary measures or non-regulatory measures taken by Council. Unlikely to be effective and would not implement the Policy 14 of the NZCPS or the relevant provisions in the RPS (see section 2.1.4 above).</p>	<p>This option would be very unlikely to fulfil Council’s obligations with respect to the management of landscape values and there would be significant uncertainty that the Proposed Objectives would be met.</p>	<p>May be acceptable to land owners. Broader community acceptance is unlikely. Inconsistent with other approaches within the Region. Would not provide adequate recognition or protection of the District’s landscape values.</p>	<p>Discard This option would not implement RPS, NZCPS and Section 6 of the RMA. High risk that the Objective will not be achieved, and inappropriate adverse environmental effects will arise.</p>

<p>2. Status Quo Retain the existing Waikato and Franklin District Plan landscape provisions.</p>	<p>Waikato and Franklin section policies and provisions include:</p> <ul style="list-style-type: none"> • Protection and enhancement of tier one landscapes (outstanding natural features and landscapes) • Setback/buffer requirements (Franklin) • Earthworks Controls • Vegetation clearance controls • Subdivision and building controls (building height and location) 	<p>This option would not achieve Objective 3.3.1 but would not achieve Objective 3.4.1 given there would no specific provisions addressing the qualities and characteristics of Significant Amenity Landscapes.</p>	<p>This option would not be fully consistent with the RPS direction in regards to identifying, maintaining and enhancing Significant Amenity Landscapes. This option would be based on existing mapped areas. These areas were identified using methodologies which are inconsistent with current best practice and the RPS, particularly in regards to considering associative values of landscapes (i.e. iwi values).</p>	<p>The use of existing provisions may have a degree of community acceptance because these are known to Plan users. However, other community sectors may oppose them as they are not based on current best practice, or consistent with the approaches of other district councils in the region. This option is also unlikely to be acceptable as, in relation to Significant Amenity Landscapes, it does not full implement RPS and the identified values for each landscape would not fully account for iwi values.</p>	<p>Discard This option would not fully implement RPS, would be based on mapped areas identified in a manner inconsistent with current best practice, would not recognise the iwi values, and would not be consistent with the approach of other councils in the Region.</p>
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<p>3. Develop provisions that apply to newly defined ONFs and ONLs.</p>	<p>This option would involve the re-assessment of the District's ONFs and ONLs using current best practice. Rules would be applied limiting subdivision, development and landuse in these areas, and cover earthworks rules and building height restrictions. However there would be no provisions for SALs.</p>	<p>This option would satisfy Objective 3.3.1 but would not achieve Objective 3.4.1 in that SALs would not be specially addressed.</p>	<p>This option would not fulfil Council's requirements to give effect to the RPS (specifically Policy 12.3) or NZCPS 2010 (Policy 15 (b)), which relate to landscape values outside of ONLs and ONFs.</p>	<p>This approach is likely to be supported by landowners whose properties may be SALs. However it is unlikely to be acceptable to the wider community who value the District's SALs. It is also unlikely to be acceptable as it fails to give full effect to the NZCPS and RPS, is inconsistent with other approaches of most district councils in the region and would fail to recognise the significance (including to iwi) of the Waikato River (upstream of the Waikato river mouth wetlands).</p>	<p>Discard Will not achieve the direction of higher order documents, is inconsistent with the approach in other parts of the Region, and would result in significant landscape values (such as those relating to the Waikato River) remaining unprotected in the District Plan.</p>
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<p>4. Develop provisions that apply to newly defined SALs.</p>	<p>This option would involve the assessment of the District's SALs using current best practice. Rules would be applied limiting subdivision, development and landuse in these areas, and cover earthworks rules and building height restrictions. However there would be no provisions for ONFs and ONLs.</p>	<p>This option would satisfy Objective 3.4.1 but would not achieve Objective 3.3.1 in that ONFs and ONLs would not be specially addressed.</p>	<p>This option would not fulfil Council's requirements to give effect to the RPS (specifically Policy 12.1) or the very strong and directive NZCPS Policy 15 (a), which relate to landscape values within ONFs and ONLs.</p>	<p>This approach is likely to be supported by landowners whose properties may be ONFs and ONLs. However it is unlikely to be acceptable to the wider community who value the District's ONFs and ONLs. It is also unlikely to be acceptable as it fails to give full effect to the NZCPS and RPS, is inconsistent with other approaches of most district councils in the region and would fail to recognise the significance (including to iwi) of the Districts ONFs and ONLs.</p>	<p>Discard Will not achieve the direction of higher order documents, is inconsistent with the approach in other parts of the Region, and would result in outstanding natural landscape values remaining unprotected in the District Plan.</p>
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<p>5. Develop provisions that apply to newly defined ONFs and ONLs, including rules controlling buildings, earthworks and addressing landscape effects of vegetation removal. Also develop provisions for newly defined SALs, including rules controlling buildings, earthworks and addressing landscape effects of vegetation removal.</p>	<p>This option would provide provisions that avoid inappropriate use and development of ONFs and ONLs and maintain and enhance SALs. SALs and ONFs and ONLs would be mapped in the plan. Activities that are considered to have a minor effect on these areas will be permitted with other activities requiring a resource consent, enabling environmental effects to be assessed and resource consent declined if adverse effects are inappropriate.</p>	<p>This option applies to both SALs and ONFs and ONLs, and addresses identified threats to the values of these landscapes. It would therefore achieve both Objective 3.3.1 and 3.4.1. See also comments in regards to higher order documents (RPS).</p>	<p>This option would give effect to RPS policy direction as the provisions would result in the protection of ONFs and ONLs and maintenance and enhancement of SALs values (s 6. and s7. RMA). The option promotes efficiencies for plan interpretation and consenting, as clear policies and rules apply to each type of feature. The option is most consistent with NZCPS in that it would provide provisions that avoid inappropriate use and development of ONFs and ONLs and maintain and enhance SALs.</p>	<p>Mapping of ONFLs and SALs provides certainty for all parties. Historically there has been limited development within the areas that would be identified as ONFs and ONLs and SALs. Consequently the financial costs are likely to be limited. This approach is most consistent with other approaches in the Region.</p>	<p>Evaluate further. An effective and efficient option. Feasible and acceptable based on existing engagement with landowners and existing technical data. Consistent with approaches elsewhere in the region, and gives effect to higher order policy.</p>
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<p>6. Non-regulatory approach</p>	<p>Promote landscape protection of ONFs n ONLs and SALs, enhancement and maintenance through alternative methods (e.g. web articles, newsletters, possibly financial incentives etc) Do not identify natural character areas on district plan maps</p>	<p>Unlikely to achieve the objectives. Like option 1 this would rely solely on voluntary measures or non-regulatory measures by Council. Therefore it is unlikely to implement the RPS, NZCPS or Section 6 of the RMA.</p>	<p>Would not implement the RPS and NZCPS particularly in regards to identifying significant and outstanding landscape areas. Non regulatory approach alone could not be enforced.</p>	<p>Would not provide for appropriate environmental protection and for areas with significant or outstanding landscape value character. May be acceptable to land owners. Broader community acceptance is unlikely. Inconsistent with other approaches within the Region.</p>	<p>Discard This option would not implement RPS, NZCPS and Section 6 of the RMA. High risk that the Objective will not be achieved, and inappropriate adverse environmental effects will arise</p>
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Table 6 Assessment of Reasonably Practicable Options for Proposed Objectives 3.5.1

Objective(s)	<p>Objective 3.5.1</p> <p>a) The high and outstanding natural character of the coastal environment is protected from inappropriate subdivision use and development.</p> <p>b) Natural character of wetlands, and lakes and rivers and their margins are protected from inappropriate subdivision use and development.</p>				
Options	Description	Relevance	Feasibility	Acceptability	Recommendation
<p>1. Do Nothing – (remove all policies and associated methods – including rules)</p>	<p>The removal of provisions from the District Plan would mean that adverse effects of subdivision and land use on natural character would not be managed by Council.</p>	<p>Would rely solely on voluntary measures or non-regulatory measures by Council. Unlikely to be effective. Would not implement the RPS.</p>	<p>Significant uncertainty whether the objective will be met.</p>	<p>May be acceptable to land owners. Broader community acceptance is unlikely. Inconsistent with other approaches within the Region. Would not provide adequate recognition or protection of the District’s natural character.</p>	<p>Discard Would not implement RPS, NZCPS and Section 6 of the RMA. High risk that the Objective will not be achieved, and inappropriate adverse environmental effects will arise.</p>
<p>2. Status Quo Apply operative Waikato and Franklin District policies and provisions relating to Natural character.</p>	<p>Waikato and Franklin section policies and provisions are described in section 1.4.</p>	<p>The existing provisions do not address the protection of natural character specifically enough. Areas that are identified in the existing provisions have been identified based on broader landscape values rather than specifically addressing the state of natural character. Would not map areas of high (or above) natural character.</p>	<p>This option would not be consistent with the RPS direction to identify, protect and avoid adverse effects on high and outstanding natural character areas. The areas currently identified, were identified using methodologies inconsistent with current best practice and the RPS in regards to addressing natural character and landscape matters specifically and separately.</p>	<p>The use of existing provisions may have a degree of community acceptance because these are known to Plan users. However, other community sectors may oppose them as they are not based on current best practice, or consistent with the approaches of other district councils in the region. Generally it is expected that retaining the existing provisions will be perceived to provide inadequate recognition and protection of the District’s natural character.</p>	<p>Discard Inconsistent the RPS direction. Inadequate recognition and protection of the District’s natural character.</p>

<p>3. Develop provisions that apply to natural character areas of the coastal environment only.</p>	<p>Introduce policies and rules managing subdivision, development and landuse in the coastal environment. The provisions would address earthworks rules, building height restrictions, and managing plantation forestry.</p>	<p>The option would only partially achieve the Objective, i.e. only the coastal environment only. The option would not address natural character in the rest of the District.</p>	<p>The option would not fulfil Council's requirements to give effect to the RPS, and section 6 of the RMA, outside of the coastal environment.</p>	<p>This options is unlikely to be acceptable as it would not protect the natural character outside of the coastal environment. It would also be inconsistent with the approaches of most district councils in the region.</p>	<p>Discard Will not achieve the direction of higher order documents or the proposed Objective.</p>
<p>4. Develop provisions that apply to natural character of wetlands, and lakes and rivers and their margins</p>	<p>Introduce policies and rules managing subdivision, development and landuse outside of the coastal environment. The provisions would address earthworks rules, building height restrictions, and managing plantation forestry.</p>	<p>The option would only partially achieve the Objective, i.e. outside of the coastal environment. The option would not address natural character in the coastal environment.</p>	<p>The option would not fulfil Council's requirements to achieve objectives in the RPS or NZCPS 2010 relating to natural character of the coastal environment and in particular those areas with outstanding natural character.</p>	<p>This options is unlikely to be acceptable as it would not protect the natural character within the coastal environment. It would also be inconsistent with the approaches of most district councils in the region.</p>	<p>Discard Will not achieve the direction of higher order documents or the proposed Objective.</p>
<p>5. Develop provisions that apply to natural character of the coastal environment and wetlands, and lakes and</p>	<p>Natural Character of the Coastal Environment would be mapped in the Plan. Activities that are considered to have a minor effect on these areas will be permitted. Rules</p>	<p>The most effective in achieving the objective. See also comments in regards to higher order documents (RPS)</p>	<p>This option would give effect to RPS and the NZCPS. It would result in the protection of Natural Character. It is also expected to promote efficiencies for Plan interpretation and consenting given clear</p>	<p>The option would be appropriate in regards to addressing threats to natural character areas (i.e. environmentally acceptable). There may be some concern from landowners regarding the effect of the approach on their ability to provide for their</p>	<p>Evaluate further. Likely to be an effective option. It's efficiency (in terms of economic cost) can be mitigated through the drafting of specific provisions. Consistent with the</p>

rivers and their margins. Identify Natural Character of coastal environment.	controlling buildings, earthworks, plantation forestry, and addressing natural character effects of vegetation removal. Specifically identify high and outstanding natural character of the coastal environment.		and District-wide provisions. Would directly address relevant provisions in the NZCPS.	economic wellbeing. The extent of the effect will depend on how restrictive the specific provisions are. This approach is consistent with other approaches in the Region.	approaches in other parts of the Region. Would implement relevant NZCPS, RPS and RMA direction.
6. Non-regulatory approach	Promote protection of natural character through alternative non-regulatory methods (e.g. web articles, newsletters etc) Do not identify natural character areas on district plan maps.	Unlikely to achieve the objective. Like option 1 this would rely solely on voluntary measures or non-regulatory measures by Council. Therefore it is unlikely to implement the RPS, NZCPS or Section 6 of the RMA.	Would not implement the RPS particularly in regards to identifying areas of natural character of the coastal environment. Would not implement NZCPS direction in regards to natural character of the coastal environment. Non regulatory approach alone could not be enforced.	Would not provide for appropriate environmental protection and avoidance, remediation or mitigation of the effects of development in areas with high, or above, natural character.	Discard Inconsistent with the RPS, NZCPS and section RMA.

5.2 Evaluation of Selected Options

This section contains an evaluation of those options identified above for further evaluation. The short list of options has been developed further to include (where relevant) policies, rules and methods. Provisions have been bundled where they are expected to work together to achieve the objective(s).

For efficiency, this second tier evaluation focuses on the approach and the policies and rules which implement that approach as a package, rather than a detailed analysis of every policy and every rule. The evaluation addresses the proposed provisions relating to the Outstanding Natural Features, Outstanding Natural Landscapes, Significant Amenity Landscapes and Natural Character separately.

How this section is approached in terms of level of detail depends to what extent the options are departing from the existing District Plans and the significance of the alternative options.

The quantification of costs and benefits are attached in Appendix 4.

5.3 Objectives 3.3.1 & 3.4.1

The package of provisions, aligned with Option 5 in Table 4, proposed to give effect to this objective include:

- a) Policy 3.3.2 – which directs that the recognition of the attributes of ONFs and ONLs
- b) Policy 3.3.3 – which directs that the attributes of the identified ONFs and ONLs are protected by a range of methods
- c) Policy 3.3.4 which provides for the relationships of Maaori with ONFs and ONLs
- d) Policy 3.4.2 – which directs that the attributes of identified SALs are recognised
- e) Policy 3.4.3 - which directs that SALs are maintained and enhanced by a range of methods
- f) Policy 3.4.4 which provides for the relationships of Maaori with SALs
- g) Land use (infrastructure, buildings, earthworks, extractive industries and intensive farming) and subdivision activity status rules in the Infrastructure and Energy Chapter and Residential, Industrial, Heavy Industrial, Rural, Country Living, Village and Reserve Zones, i.e. resource consent requirements.
- h) Permitted activity standards for (buildings and earthworks) in the Infrastructure Chapter and Residential, Industrial, Heavy Industrial, Rural, Country Living, Village and Reserve Zones
- i) ONF, ONL and SAL identified on the District Plan maps

5.3.1 Identification of Options

In considering options for implementation Objectives 3.3.1 and 3.4.1 a number of factors were taken into account including:

- Sections 6 (b) and 7 (c) of the RMA
- Policy 15 of the NZCPS
- The Waikato RPS (see section 2.1.3)

- Iwi management plans
- The Operative District Plan provisions
- Consultation feedback
- Feedback from Councillors

Options considered included:

- Do nothing – i.e. no District Plan provisions and no non-regulatory measures
- Retain the existing provisions (the Status Quo)
- Develop provisions for ONFs and ONLs only
- Develop provisions for SALs only
- Develop provisions for ONFs ONLs and SALs – i.e. the preferred option set out in section 5.3 above
- Non-regulatory approach – no District Plan provisions but non-regulatory measures would be implemented.

5.3.2 Policy, Rule and Method Evaluation

This section assists to identify the provisions (i.e. policies, rules and methods) that are the most appropriate to achieve the objective.

Table 7 sets out an evaluation of the cost and benefits of the preferred option, summarises the alternatives considered, identifies the risks of acting or not acting and concludes relating to the efficiency and effectiveness of the preferred option.

Table 7 Evaluation of provisions for Objectives 3.3.1 & 3.4.1

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
Refer to section 5.3 and Appendix I	<p>Environmental:</p> <p>Significant environmental benefits arising from the identification of ONFs, ONLs and SALs which takes into account the biophysical values of each area.</p> <p>Policies 3.3.3, 3.3.4, 3.4.3, 3.4.4 and the activity rules will ensure that these values will be appropriately managed.</p> <p>Use of discretionary activity status, or inclusion of appropriate matters of discretion where restricted discretionary status is applied, will ensure potential adverse effects can be addressed.</p> <p>Landscapes of significance are protected.</p>	<p>Environmental:</p> <p>Potential environmental costs arising due to activities which fall within the 'permitted' envelope set by the activity rules and standards. It is considered that the preferred rules and standards will ensure that any such costs are at most minor.</p>
	<p>Economic:</p> <p>As the provisions enable 'appropriate' activities to continue to occur within the identified landscapes, the economic benefit of such activities is enabled.</p> <p>Economic benefits will arise from the appropriate protection of landscape values, due to the importance of these values to local and regional tourism.</p> <p>Provisions which provide District-wide consistency</p>	<p>Economic:</p> <p>Regular use of full discretionary, may add small additional transactional costs. No restrictions on notification, beyond those in the RMA, may do likewise.</p> <p>The total land value of properties containing an area of ONL is estimated at \$675m (4% of total District land value). The total capital value of these properties</p>

	<p>and which are clear will ensure the cost of compliance is minimised.</p>	<p>is estimated at \$1.0bn (4% of the total District capital value).</p> <p>The total land value of properties containing an area of SAL is estimated at \$863m (5% of total District land value). The total capital value of these properties is estimated at \$1.39bn (5% of the total District capital value).</p> <p>There is an estimated 2 mining sector businesses based in ONLs (employing an estimated 16 workers). This is 10% of all district mining businesses and 4% of all mining sector employment. These businesses may or may not extract resources from within the ONL. Mining businesses based elsewhere in the District may also be impacted.</p>
	<p>Social: Significant social benefits arising from the identification of ONFs ONLs & SALs takes into account sensory and associative values of each area. Policies 3.3.3, 3.3.4, 3.4.3, 3.4.4 and activity rules will ensure that these values will be appropriately managed. Use of discretionary activity status, or inclusion of appropriate matters of discretion where restricted discretionary status is applied, will ensure potential adverse effects can be addressed. Appropriate protection of landscape values important to recreation values within the District.</p>	<p>Social: Potential social costs (effects on sensory and associated values) arising due to activities which fall within the 'permitted' envelope set by the activity rules and standards. It is considered that the preferred rules and standards will ensure that any such costs are at most minor.</p>

	<p>The proposed rules do not restrict notification processes further than the direction in the RMA. This will have some benefit in terms of community participation.</p> <p>Provides certainty to resource users and the District community about which are the valued natural features and landscapes</p>	
	<p>Cultural: Significant cultural benefits arising from the identification of ONFs, ONLs & SALs takes into account sensory and associative values of each area. Policies 3.3.3, 3.3.4, 3.4.3, 3.4.4 and activity rules will ensure that these values will be appropriately managed. Use of discretionary activity status, or inclusion of appropriate matters of discretion where restricted discretionary status is applied, will ensure potential adverse effects can be addressed.</p> <p>Protecting outstanding natural features and landscapes provides for the community’s social and cultural wellbeing by maintaining features that help to define the identity of the District, and by the maintenance of amenity values that arise from the presence of these features</p> <p>The proposed rules do not restrict notification processes further than the direction in the RMA. This will have some benefit in terms of iwi participation.</p>	<p>Cultural: Potential cultural costs (effects on sensory and associated values) arising due to activities which fall within the ‘permitted’ envelope set by the activity rules and standards. It is considered that the preferred rules and standards will ensure that any such costs are at most small.</p>

Opportunities for economic growth and employment		
<p>The provisions enable 'appropriate' activities to continue to occur within the identified landscapes. This includes farming activities. In addition the appropriate protection of landscape values is important for local and regional tourism opportunities. However the only opportunity for economic growth and employment is from increased tourism and marketing opportunities.</p>		
Options less or not as appropriate to achieve the objective		
<p>Option 1: Do nothing Remove the District Plan provisions and not implement non-regulatory measures.</p> <p>Appropriateness: This option would not implement RPS, NZCPS and Section 6 of the RMA. There would be a high risk that the Objective will not be achieved, and that inappropriate adverse environmental effects would arise.</p>		
<p>Option 2: Status Quo Retain the existing landscape provisions from the Waikato and Franklin sections of the Operative District Plan.</p> <p>Appropriateness: This option would not fully implement RPS, would be based on mapped areas identified in a manner inconsistent with current best practice, would not recognise the iwi values, and would not be consistent with the approach of other councils in the Region.</p>		
<p>Option 3: Develop provisions for ONFs and ONLs only This option would involve the re-assessment of the District's ONFLs using current best practice. Rules (activity rules and standards) would be applied limiting subdivision and landuse in these areas, and include earthworks rules and building height restrictions.</p> <p>Appropriateness: The option will not achieve the direction of higher order documents, is inconsistent with the approach in other parts of the Region, and would result in significant amenity landscape values (such as those relating to the Waikato River) remaining unprotected in the District Plan.</p>		

Option 4: Develop provisions for SALs only

This option would involve the assessment of the District's SALs using current best practice. Rules (activity rules and standards) would be applied limiting subdivision and landuse in these areas, and include earthworks rules and building height restrictions.

Appropriateness:

This option will not achieve the direction of higher order documents, is inconsistent with the approach in other parts of the Region, and would result in outstanding natural landscape values remaining unprotected in the District Plan.

Option 6: Non-regulatory approach

This option would involve the development of non-regulatory measures to give effect to the Objectives (e.g. by promoting the protection of landscape values through media / education programme, financial incentives)

Appropriateness:

This option would not implement RPS, NZCPS and Section 6 of the RMA. There would remain a high risk that the Objective will not be achieved, and that inappropriate adverse environmental effects would arise.

Risk of acting or not acting

Uncertainty or insufficiency of information:

The location, extent and values associated with the ONF, ONLs and SALs is clearly set out in the Waikato District Landscape Study. The method applied for this Study is current best practice. The environmental, social and cultural benefits expected to occur from the preferred provisions has been assessed based on the analysis in this Study, and in particular the identification of values and threats in the Study, and comparison of the identified threats with the proposed provisions.

The proposed provisions (policies and rules) use terms and phrases which are used commonly in district plans, and will therefore be familiar to Plan users. The familiarity (and associated clarity of interpretation) gives the assessment of costs and benefits greater certainty.

Risk of acting or not acting:

The risk of not acting would be the inability to control or avoid, remedy or mitigate adverse effects on the ONFs, ONLs and SAL areas. The risk of not acting is the loss of the significant landscapes. These are not able to be reinstated once the landscapes are destroyed.

Efficiency and effectiveness

Overall it is considered that the proposed provisions will be both an effective and efficient means of achieving the proposed landscape objectives (3.3.1 and 3.4.1).

The full scope of the objectives is addressed by the provisions, and the activity status set out in the rules give appropriate scope for decision makers to ensure that ONFLs are effectively protected and that SALs are effectively maintained or enhanced. The rules and standards have been targeted so that they address only potentially 'inappropriate' activities, taking into account the assessment of threats in the WDLS.

It is considered that the significant environmental, social and cultural benefits of the proposed provisions outweigh the potential small environmental, social and cultural costs, and the potential financial costs to directly impacted land owners and developers.

5.4 Objective 3.5.1 – Natural Character

The package of provisions, aligned with option 5 in Table 5, proposed to give effect to this objective include:

- a) Policy 3.5.2 – Recognising natural character
- b) Policy 3.5.3 – Protecting the natural character qualities of the coastal environment
- c) Policy 3.5.4 – Protecting the natural character of wetlands, and lakes and rivers and their margins
- d) Land use and subdivision activity status rules in the Infrastructure & Energy Chapter and Residential, Industrial, Heavy Industrial, Rural, Country Living, Village and Reserve Zones, i.e. resource consent requirements
- e) Permitted activity standards in the Infrastructure Chapter and Residential, Industrial, Heavy Industrial, Rural, Country Living, Village and Reserve Zones
- f) Coastal environment and natural character areas identified on the District Plan maps.

5.4.1 Identification of Options

In considering options for implementation Objective 3.5.1 a number of factors were taken into account including:

- Sections 6 (a) of the RMA
- Policy 13 of the NZCPS
- The Waikato RPS (see section 2.1.4)
- Iwi management plans
- The Operative District Plan provisions

Options considered included:

- Do nothing – i.e. no District Plan provisions and no non-regulatory measures
- Retain the existing provisions (the Status Quo)
- Develop provisions for natural character in the coastal environment only
- Develop provisions for natural character outside the coastal environment only
- Develop provisions for natural character for the coastal environment and wetlands, and lakes and rivers and their margins – i.e. the preferred option set out in section 5.4 above
- Non-regulatory approach – no District Plan provisions but non-regulatory measures would be implemented.

5.4.2 Policy, Rule and Method Evaluation

This section assists to identify the provisions (i.e. policies, rules and methods) that are the most appropriate to achieve the objective.

Table 7 sets out an evaluation of the cost and benefits of the preferred option, summarises the alternatives considered, identifies the risks of acting or not acting and concludes relating to the efficiency and effectiveness of the preferred option.

The costs and benefits are quantified in Appendix 4.

Table 4 Evaluation of provisions for Objective 3.5.1

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
Refer to section 5.4 and Appendix I	<p>Environmental: Significant environmental benefits are expected to arise from the protection of natural character, and in particular the identification of areas of high (or above) natural character in the coastal environment. The environmental values to be protected include abiotic and biotic factors such as the maintenance of land form, indigenous vegetation and water quality. This protection is provided through Policies 3.5.3 to 3.5.4, activity rules (buildings and subdivision), standards (earthworks and vegetation clearance).</p> <p>Use of discretionary activity status, or inclusion of appropriate matters of discretion where restricted discretionary status is applied, will ensure potential adverse effects can be addressed.</p> <p>Areas of significant natural character will be retained.</p>	<p>Environmental: Potential environmental costs arising due to activities which fall within the 'permitted' envelope set by the activity rules and standards. It is considered that the preferred rules and standards will ensure that any such costs are at most minor.</p>
	<p>Economic: As the provisions enable 'appropriate' activities commensurate with the level of natural character in an area, the economic benefit of such activities is</p>	<p>Economic: The total land value of properties containing an area of Natural Character Areas is estimated at \$144m (1% of total District land value). The total capital</p>

	<p>enabled.</p> <p>Economic benefits will arise from the protection of high natural character values, due to the importance of these values to local and regional tourism. Provisions which provide District-wide consistency and which are clear will ensure the cost of compliance is minimised.</p>	<p>value of these properties is estimated at \$170m (1% of the total District capital value).</p> <p>Regular use of full discretionary, may add small additional transactional costs. No restrictions on notification, beyond those in the RMA, may do likewise.</p> <p>As areas of high and outstanding natural character have not been identified outside of the coastal environment, there is potential for increase transaction costs for landowners and developers who will be required to make a case by case assessment of the level of natural character.</p> <p>May constrain development of sites.</p>
	<p>Social: Significant social benefits arise from the protection of natural character which will take into account 'experiential' values of each area. This protection is provided through Policies 3.5.3 to 3.5.4, activity rules (buildings and subdivision), standards (earthworks and vegetation clearance).</p> <p>The proposed rules do not restrict notification processes further than the direction in the RMA. This will have some benefit in terms of community participation. Use of discretionary activity status, or inclusion of</p>	<p>Social: Potential cultural costs (effects on experiential values) arising due to activities which fall within the 'permitted' envelope set by the activity rules and standards. It is considered that the preferred rules and standards will ensure that any such costs are at most small.</p>

	appropriate matters of discretion where restricted discretionary status is applied, will ensure potential adverse effects can be addressed.	
	<p>Cultural: Significant cultural benefits arise from the protection of natural character which will take into account 'experiential' values of each area. This protection is provided through Policies 3.5.3 to 3.5.4, activity rules (buildings and subdivision), standards (earthworks and vegetation clearance). The proposed rules do not restrict notification processes further than the direction in the RMA. This will have some benefit in terms of iwi participation.</p> <p>Use of discretionary activity status, or inclusion of appropriate matters of discretion where restricted discretionary status is applied, will ensure potential adverse effects can be addressed.</p>	<p>Cultural: Potential cultural costs (effects on experiential values) arising due to activities which fall within the 'permitted' envelope set by the activity rules and standards. It is considered that the preferred rules and standards will ensure that any such costs are at most small.</p>
Opportunities for economic growth and employment		
The provisions enable 'appropriate' activities to continue to occur commensurate with the degree of natural character in an area. This includes farming activities. In addition the appropriate protection of natural character is important for local and regional tourism opportunities.		
Options less or not as appropriate to achieve the objective		
Option 1: Do nothing Remove the District Plan provisions and not implement non-regulatory measures.		

<p>Appropriateness: Would not implement RPS, NZCPS and Section 6 of the RMA. High risk that the Objective will not be achieved, and inappropriate adverse environmental effects will arise.</p>
<p>Option 2: Status Quo Retain the existing landscape provisions from the Waikato and Franklin sections of the Operative District Plan.</p> <p>Appropriateness: Inconsistent the RPS direction. Inadequate recognition and protection of the District's natural character.</p>
<p>Option 3: Develop provisions for ONFLs only This option would involve the re-assessment of the District's ONFLs using current best practice. Rules (activity rules and standards) would be applied limiting subdivision and landuse in these areas, and include earthworks rules and building height restrictions.</p> <p>Appropriateness: Will not achieve the direction of higher order documents or the proposed Objective.</p>
<p>Option 4: Develop provisions for SALs only This option would involve the assessment of the District's SALs using current best practice. Rules (activity rules and standards) would be applied limiting subdivision and landuse in these areas, and include earthworks rules and building height restrictions.</p> <p>Appropriateness: Will not achieve the direction of higher order documents or the proposed Objective.</p>
<p>Option 6: Non-regulatory approach This option would involve the development of non-regulatory measures to give effect to the Objectives (e.g. by promoting the protection of landscape values through media / education programme, financial incentives)</p> <p>Appropriateness: Inconsistent with the RPS, NZCPS and section RMA.</p>
<p>Risk of acting or not acting</p>

Uncertainty or insufficiency of information:

The location, extent and values associated with areas of high and outstanding natural character in the coastal environment is clearly set out in the Waikato District Landscape Study. The method applied for this Study is current best practice. The environmental, social and cultural benefits expected to occur from the preferred provisions has been assessed based on the analysis in this Study, and in particular the identification of values in the Study.

Outside of the coastal environment there is some uncertainty regarding the costs and benefits of the proposed provisions because specific areas of high and outstanding natural character has not been identified.

The proposed provisions (policies and rules) use terms and phrases which are used commonly in district plans, and will therefore be familiar to Plan users. The familiarity (and associated clarity of interpretation) gives the assessment of costs and benefits greater certainty.

Risk of acting or not acting:

The risk of not acting is that the District's areas of significant character is irretrievably destroyed.

Efficiency and effectiveness

Overall it is considered that the proposed provisions will be both an effective and efficient means of achieving the proposed natural character objective (3.5.1).

The full scope of the objective is addressed by the provisions, and the activity status set out in the rules give appropriate scope for decision makers to ensure that natural character is effectively protected. The rules and standards have been targeted so that they address only potentially 'inappropriate' activities, taking into account the assessment of threats in the WDLS.

It is considered that the significant environmental, social and cultural benefits of the proposed provisions outweighs the potential small environmental, social and cultural costs, and the potential financial costs to directly impacted land owners and developers.

6 Conclusion

This chapter has evaluated the proposed District Plan provisions relating landscape and natural character.

In relation to landscape two objectives are proposed. Objective 3.3.1 addresses outstanding natural features and landscapes and Objective 3.4.1 addresses significant amenity landscapes. The Objectives are considered the most appropriate as:

- They are aligned with the relevant objectives in the RPS and sections of the RMA, and therefore give direct effect to them
- The direction to either 'protect' or 'maintain and enhance' in each of the Objectives has been aligned with the significance of the value addressed, i.e. in the case of a more significant the value (e.g. ONL and ONF) the direction in that Objective is stronger (i.e. protection)
- The inclusion of the qualifier 'from inappropriate...' is consistent with both the RPS and RMA and is therefore also appropriate.

The proposed set of provisions to implement these objectives involve the identification of ONF, ONLs and SALs using current best practice and includes rules controlling buildings, earthworks and addressing landscape effects of vegetation removal. This broad approach is considered the most appropriate as it is feasible and acceptable based on existing engagement with landowners and existing technical data, is consistent with approaches elsewhere in the region, and gives effect to higher order policy direction and the RMA.

Overall it is considered that the proposed provisions will be both an effective and efficient means of achieving the proposed landscape objectives (3.3.1 and 3.4.1). This is because the full scope of the objectives will be addressed by the provisions, and the activity status set out in the rules give appropriate scope for decision makers to ensure that ONFs and ONLs are effectively protected and that SALs are effectively maintained or enhanced. The rules and standards have been targeted so that they address only potentially 'inappropriate' activities, taking into account the assessment of threats in the WDLS.

It is considered that the significant environmental, social and cultural benefits of the proposed provisions outweighs the potential small environmental, social and cultural costs, and the potential financial costs to directly impacted land owners and developers.

In relation to the natural character a single objective is proposed containing two parts (Objective 3.5.1). This Objective is considered most appropriate largely for the same reasons as apply to Objectives 3.3.1 and 3.4.1. In addition it is noted that Objective 3.5.1 sets a different goal for the management of natural character within the coastal environment than for wetlands, and lakes and rivers and their margins. The direction relating to the coastal environment focuses specifically on those areas with high and outstanding natural character. Whereas the direction for other areas is

not specifically focussed. This differentiation is considered appropriate because it reflects the specific direction in the NZCPS relating to the protection of natural character in the coastal environment

It is proposed to implement Object 3.5.1 through provisions that apply to natural character of the coastal environment and wetlands, and lakes and rivers and their margins and to specifically identify, on the District Plan maps, areas of high and outstanding natural character in the coastal environment. At a broad level this approach is considered the most appropriate because it is considered that the option is consistent with the approaches in other parts of the Region and would implement relevant NZCPS, RPS and RMA direction. In addition it is considered that any potential financial costs to landowners can be mitigated through the drafting of specific provisions.

Overall it is considered that the proposed provisions will be both an effective and efficient means of achieving the proposed Objective 3.5.1. The full scope of the objective is addressed by the provisions, and the activity status set out in the rules gives appropriate scope for decision makers to ensure that natural character is effectively protected. It is considered that the significant environmental, social and cultural benefits of the proposed provisions outweigh the potential small environmental, social and cultural costs, and the potential financial costs to directly impacted land owners and developers.

APPENDIX I PROVISION CASCADE

Issue to be addressed	Objective	Policies	Methods / Rules
Outstanding natural features and landscapes can be irreversibly changed or degraded by subdivision, land use, development, roads, tracks and extractive industry	3.3.1 Outstanding natural features and landscapes and their attributes are recognised and protected from inappropriate subdivision, use and development	3.3.2 Policy – Recognising values and qualities	Identification of ONFs and ONLs on Proposed District Plan maps
		3.3.3 Policy – Protection from inappropriate subdivision use and development. 3.3.4 Policy – The relationship of Maaori with natural resources and land.	<p><u>Permitted Activity standards:</u> Earthworks within Landscape Areas (16.2.4.4 PI, 20.2.5.3 PI, 20.3.2 PI, 21.2.5.3 PI, 21.3.2 P2, 22.2.3.4, 23.2.5.4 PI, 25.2.4.4 PI)</p> <p>Indigenous vegetation clearance (22.2.7 PI-P6, 22.2.8 PI-P3, 23.2.8 PI-P6 and 23.2.9 PI-P3)</p> <p>Building height in ONFs, ONLs, NCs: 25.3.1.1 PI & P2.</p>
			<p><u>Restricted Discretionary Activities:</u> Indigenous vegetation clearance not complying with 22.2.7 PI-P6, 22.2.8 PI-P3, 23.2.8 PI-P6 and 23.2.9 PI-P3 (22.2.8 RDI & 23.2.9 DI)</p>
			<p><u>Discretionary Activities:</u> Earthworks within Landscape Areas not complying with 16.2.4.4 PI, 20.2.5.3 PI, 20.3.2 PI, 21.2.5.3 PI, 21.3.2 P2, 22.2.3.4,</p>

Issue to be addressed	Objective	Policies	Methods / Rules
			<p>23.2.5.4 PI, 25.2.4.4 PI (16.2.4.4 DI, 20.2.5.3 DI, 21.2.5.3 DI, 22.2.3.4 DI, 23.2.3.4 DI, 24.2.4.4 DI and 25.2.4.4 DI)</p> <p>Dwellings within ONF & ONLs (22.3.1 DI, 23.3.1 DI) Buildings in ONFs & ONLs (22.3.3 DI, 23.3.3 DI) Subdivision in ONFs & ONLs (22.4.5 DI, 23.4.3 DI)</p>
			<p><u>Non-complying activities:</u> Extractive industries in ONFs & ONLs (22.1.5 NC2) Waste management facilities in ONFLs (22.1.5 NC3)</p>
<p>Poorly designed and located subdivision, use and development can have adverse effects on landscape and visual amenity values</p>	<p>3.4.1 The attributes of areas and features valued for their contribution to landscape values and visual amenity are maintained or enhanced</p>	<p>3.4.2 Policy - Recognising Significant Amenity Landscapes</p>	<p>SALs identified on Proposed District Plan maps</p>
		<p>3.4.3 Policy – Maintaining and enhancing Significant Amenity Landscapes</p> <p>3.4.4 Policy – The relationship of Maaori with natural resources and land.</p>	<p><u>Permitted Activity standards:</u> Earthworks within SALs (16.2.4.4 PI, 20.2.5.3 PI, 20.3.2 PI, 21.2.5.3 PI, 21.3.2 P2, 22.2.3.4, 23.2.5.4 PI, 25.2.4.4 PI) Indigenous vegetation clearance (22.2.7 PI-P6, 22.2.8 PI-P3, 23.2.8 PI-P6 and 23.2.9 PI-P3) Building height in SALs (21.3.2 P2, 22.3.4 P2, 25.3.1.1 PI & P2)</p>

Issue to be addressed	Objective	Policies	Methods / Rules
			<u>Restricted Discretionary Activities:</u> Intensive Farming (22.1.4 RDI) Indigenous vegetation clearance not complying with 22.2.7 PI-P6, 22.2.8 PI-P3, 23.2.8 PI-P6 and 23.2.9 PI-P3 (22.2.8 RDI & 23.2.9 RDI)
			Subdivision in SALs (16.4.7 RDI, 22.4.2 RDI, 23.4.4 RDI, 24.4.5 RDI)
			<u>Discretionary Activities:</u> Buildings which do not comply with SAL height limits 21.3.2 P2, 22.3.4 P2, 25.3.1.1 PI & P2 (20.3.2DA, 21.3.2 DI, 22.3.4.1 DI, 25.3.1.1 DI) Earthworks within Landscape Areas not complying with 16.2.4.4 PI, 20.2.5.3 PI, 20.3.2 PI, 21.2.5.3 PI, 21.3.2 P2, 22.2.3.4, 23.2.5.4 PI, 25.2.4.4 PI (16.2.4.4 DI, 20.2.5.3 DI, 21.2.5.3 DI, 22.2.3.4 DI, 23.2.3.4 DI, 24.2.4.4 DI and 25.2.4.4 DI). Subdivision in SAL dune (22.4.5 DI)
			<u>Non Complying Activity:</u> Subdivision which devides a SAL Dune (23.4.4 NCI)
Inappropriate subdivision, use and development can adversely affect the natural character of the coastal environment, wetlands, and lakes and rivers and their margins	3.5.1 a) The high and outstanding natural character of the coastal environment is protected from inappropriate subdivision use and development.	3.5.2 Policies – Recognising natural character	High (and very high) and Outstanding Natural Character Areas identified on District Plan Maps

Issue to be addressed	Objective	Policies	Methods / Rules
		3.5.3 Policy – Protecting the natural character qualities of the coastal environment	<p><u>Permitted Activity standards:</u> Earthworks within high (and very high) and outstanding NCAs (16.2.4.4 PI, 20.2.5.3 PI, 20.3.2 PI, 21.2.5.3 PI, 21.3.2 P2, 22.2.3.4, 23.2.5.4 PI, 25.2.4.4 PI). Indigenous vegetation clearance (22.2.7 PI-P6, 22.2.8 PI-P3, 23.2.8 PI-P6 and 23.2.9 PI-P3). Max building height (25.3.1.1 PI & P2)</p>
			<p><u>Restricted Discretionary Activities:</u> Indigenous vegetation clearance not complying with 22.2.7 PI-P6, 22.2.8 PI-P3, 23.2.8 PI-P6 and 23.2.9 PI-P3 (22.2.8 RDI & 23.2.8 RDI)</p>
			<p><u>Discretionary Activities:</u> Afforestation in outstanding and High NCAs (21.1.5 DI5) Earthworks within high (and very high) and outstanding NCAs not complying with 16.2.4.4 PI, 20.2.5.3 PI, 20.3.2 PI, 21.2.5.3 PI, 21.3.2 P2, 22.2.3.4, 23.2.5.4 PI, 25.2.4.4 PI (16.2.4.4 DI, 20.2.5.3 DI, 21.2.5.3 DI, 22.2.3.4 DI, 23.2.3.4 DI, 24.2.4.4 DI and 25.2.4.4 DI) Dwellings within high (and very high) and outstanding NCAs (22.3.1 DI, 23.3.1 DI) Buildings in high and outstanding NCAs (22.3.3 DI, 23.3.3 DI) Subdivision in high and outstanding NCAs (22.4.5 DI, 23.4.3 DI)</p>

Issue to be addressed	Objective	Policies	Methods / Rules
			<u>Non-complying activities:</u> Extractive industries in outstanding and high NCAs (22.1.5 NC2) Waste management facilities in outstanding and high NCAs (22.1.5 NC3)
	3.5.1 b) Natural character of wetlands, and lakes and rivers and their margins are protected from inappropriate subdivision, use and development	3.5.2 Policy – Recognising natural character 3.5.4 Policy – Protecting the natural character of wetlands, and lakes and rivers and their margins	<u>Permitted activity standards:</u> Indigenous vegetation clearance (22.2.7 PI-P6, 22.2.8 PI-P3, 23.2.8 PI-P6 and 23.2.9 PI-P3) Building setbacks from waterbodies (16.3.9.3 PI, 20.3.4.2 PI, 21.3.4.2 PI, 22.3.7.5 PI, 23.3.7.5 PI, 24.3.6.3 PI, 25.3.5.2 PI)
			<u>Controlled activities:</u> Landscape planting (20.2.1 CI and 21.2.1 CI)
			<u>Restricted Discretionary Activities:</u> Indigenous vegetation clearance not complying with 22.2.7 PI-P6, 22.2.8 PI-P3, 23.2.8 PI-P6 and 23.2.9 PI-P3 (22.2.8 RDI & 23.2.8 RDI) Esplanade Reserve and strip requirements (16.4.14 RDI, 20.4.4 RDI, 21.1.4.4 RDI, 22.4.7 RDI, 23.4.12, 24.4.12)

APPENDIX 2 WAIKATO DISTRICT LANDSCAPE STUDY

APPENDIX 3 NATURAL CHARACTER STUDY OF THE WAIKATO COASTAL ENVIRONMENT

APPENDIX 4 COSTS AND BENEFITS ASSESMENT